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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,146	06/01/2001	Jose M. Cruz-Albrecht	SUN-P5912-RSH	3253

22835 7590 08/16/2004

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EXAMINER

PIU, SAN H D

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 08/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,146

Applicant(s)

CRUZ-ALBRECHT ET AL.

Examiner

Sanh D Phu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 32 is/are pending in the application.
- 4a) Of the above claim(s) 20-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19,32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Species II (Claims 1-19 and 32) in the reply filed on 5/28/2004 is acknowledged.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-6, 8-9, 13, 15-17, 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyasaka (6,670,926).

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Regarding to claims 1 and 13, see Fig. 1, 2, 3, 4, 7, 8, 9, Miyasaka discloses an apparatus that facilitates communication with an integrated circuit device within a computing system, comprising:

the integrated circuit device (2);

a radio port (7) coupled to the integrated circuit device (2);

an antenna (3) coupled to the radio port (7);

wherein the antenna is configured to detect a radio signal and pass the radio signal to the radio port (see Fig. 4, 7, 8, 9, col. 7, line 40 to col. 8, line 63);

wherein the radio port includes a receiving mechanism that is configured to receive the radio signal from the antenna (see Fig. 4, 7, 8, 9, col. 7, line 40 to col. 8, line 63);

wherein the radio port includes a passing mechanism that is configured to pass control commands to the integrated circuit device in response to the radio signal; and wherein the radio port further includes a transmitting mechanism that is configured to transmit a response to the radio signal that is

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generated by the integrated circuit device (see Fig. 4, 7, 8, 9, col. 7, line 40 to col. 8, line 63).

Regarding to claim 3, Miyasaka discloses that the apparatus wherein the radio port is implemented in a separate integrated circuit device (see Fig. 1, 2, 3, 4).

Regarding to claim 4, Miyasaka discloses that the apparatus wherein the radio port is incorporated into the integrated circuit device (see Fig. 1, 2, 3, and 4).

Regarding to claim 5, Miyasaka discloses that the apparatus wherein the radio port receives operating power from the integrated circuit device's power supply (see col. 7, lines 1–3).

Regarding to claim 6, Miyasaka discloses that the apparatus wherein the radio port receives operating power from a battery (see col. 7, lines 1–3).

Regarding to claim 8, Miyasaka discloses that the apparatus wherein the antenna is incorporated into the integrated circuit device (see Fig. 1, 2, 3 and 4).

Regarding to claim 9, Miyasaka discloses that the apparatus wherein the antenna is a trace on a printed–wire board (see Fig. 5, 6, 7).

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Regarding to claim 15, Miyasaka discloses that the apparatus wherein the radio port is incorporated into the integrated circuit device (see Fig. 1, 2, 3, 4).

Regarding to claim 16, Miyasaka discloses that the apparatus wherein the radio port receives operating power from the integrated circuit device's power supply (see col. 7, lines 1-3).

Regarding to claim 17, Miyasaka discloses that the apparatus wherein the radio port receives operating power from a battery (see col. 7, lines 1-3).

Regarding to claim 19, Miyasaka discloses that the apparatus wherein the antenna (3) is incorporated into the integrated circuit device (2) (see Fig. 1, 2, 3, 4).

Claim Rejections – 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka (6,670,926) in view of Paneth et al (6,393,002).

Regarding to claims 2 and 14, Miyasaka does not teach a self-test.

Paneth et al teach the apparatus wherein communication with the device includes communication of one of, boundary-scan data, initialization information, identification information, configuration information, results of self-tests, and error reports (see col. 51, lines 8-10)

Therefore, at the time of the invention was made, it would have been obvious for skilled in the art to implement the apparatus as taught by Paneth et al to have a self test capability so that the apparatus is able to perform its function correctly.

6. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka (6,670,926) in view of Beamish (6,754,483).

Regarding to claims 7 and 18, Miyasaka does not discloses operating power from radio waves received on the antenna.

However, Beamish discloses the operating power of wireless communication is from radio waves received on the antenna (see col. 2, lines 28-39).

Therefore, at the time of the invention was made, it would have been obvious for one skilled in the art to integrate to the Miyasaka's system as taught by Beamish to have a wireless charging capability so that the wireless system is able to maintains the connection.

7. Claims 10 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka (6,670,926) in view of Nishikawa (6,763,254).

Regarding to claim 10, Miyasaka does not disclose that the apparatus wherein the antenna is a separate wire.

However, Nishikawa discloses that the antenna is a separate wire (19) and external (17) connected (see Fig. 1 and 2).

Therefore, at the time of the invention was made, it would have been obvious for one skilled in the art to integrate the antenna as taught by Nishikawa to have more options use either the separate wire or the external antenna so that the apparatus is capable to operate in any environment.

Regarding to claim 32, an apparatus that facilitates communication with an integrated circuit device within a computing subsystem within a computing system, wherein the computing subsystem is separated from other computing subsystems within the computing system, comprising:

the computing subsystem (1) including the integrated circuit device (2);

a radio port (7) coupled to the integrated circuit device, wherein the radio port includes a transmitting mechanism that is configured to generate a radio signal in response to a command from the integrated circuit device (see Fig. 4, 7, 8, 9, col. 7, line 40 to col. 8, line 63);

wherein the radio port further includes a receiving mechanism, wherein the receiving mechanism is configured to receive the response from the antenna and pass the response to the integrated circuit device (see Fig. 4, 7, 8, 9, col. 7, line 40 to col. 8, line 63).

He does not disclose external antenna

However, Nishikawa discloses that the antenna is a separate wire (19) and external (17) connected (see Fig. 1 and 2).

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Therefore, at the time of the invention was made, it would have been obvious for one skilled in the art to integrate the antenna as taught by Nishikawa to have more options use either the separate wire or the external antenna so that the apparatus is capable to operate in any environment.

8. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka (6,670,926) in view of Nagata et al (6,680,950).

Regarding to claim 11, Miyasaka does not disclose a collision mechanism

However, Nagata et al disclose the apparatus wherein a collision detection mechanism that is configured to detect a collision when more than one response is received simultaneously (see col. 3, lines 44-53).

Therefore, at the time of the invention was made, it would have been obvious for a person skilled in the art to implement the apparatus as taught by Nagata et al to have a collision detection so that the apparatus is able to maintain connection and to transmits a signal to the second apparatus.

Regarding to claim 12, Nagata et al disclose that the apparatus wherein the radio port includes a collision recovery mechanism that is configured to

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resolve collisions when more than one response is received simultaneously (see col. 3, lines 44-53)

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

SP


LEE NGUYEN
PRIMARY EXAMINER